

JS 44 (Rev. 04/21)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

James Wright

**DEFENDANTS**

County of Camden

(b) County of Residence of First Listed Plaintiff

Camden

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

Camden

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Catalano Law - Randy P. Catalano, Esq.  
401 Kings Hwy. S. Suite 4A Cherry Hill NJ 08004  
(856) 281-9860**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 PTF ☒ 1 DEF Incorporated or Principal Place of Business In This State ☐ 4 PTF ☐ 4 DEF
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. § 1983

Brief description of cause:

Violation of Constitutional rights

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions)

N/A  
JUDGE

DOCKET NUMBER

DATE

6/30/21

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

CATALANO LAW  
RANDY P. CATALANO, ESQUIRE  
ATTORNEY ID# 024491982  
401 Kings Highway South, Suite 4A  
Cherry Hill, NJ 08034  
T: (856) 281-9860  
F: (856) 281-9859  
Email: [rcatalano@catalanolaw.net](mailto:rcatalano@catalanolaw.net)

---

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

---

JAMES WRIGHT,

Plaintiff,

vs.

COUNTY OF CAMDEN, OFFICER  
BENJAMIN QUINONES, OFFICER LUIS  
GONZALEZ, JOHN DOES 1-25 (fictitious  
names), and JOHN DOES 26-50 (fictitious  
names),

Defendants.

CIVIL NO.

CIVIL ACTION

COMPLAINT

Plaintiff, James Wright, by way of Complaint against defendants says:

**COUNT ONE**  
(Jurisdiction and Venue)

1. Plaintiff, James Wright, brings this action against defendants to recover damages for deprivation and violation of his constitutional rights secured by the Fourth and Fourteenth Amendments to the United States Constitution, by 42 U.S.C. § 1983 and also by the New Jersey Constitution.

2. Plaintiff seeks redress for defendants' violations of his Fourth Amendment rights to be free from unlawful arrest, false imprisonment, and malicious prosecution; for their violations of his Fourteenth Amendment rights to liberty and due process of law; for their violation of his rights provided 42 U.S.C. § 1983; for conspiring with each other to violate his rights under the Fourth and Fourteenth Amendments; and for their violations of constitutional rights, including but not limited to his rights to be free from false arrest, false

imprisonment, malicious prosecution, emotional distress and other negligent acts and for defendants' conspiracy to commit these violations.

3. This court has jurisdiction over this action under 28 U.S.C. § 1331 and 1343 (a) for violation of constitutional rights as provided in 42 U.S.C. § 1983. Plaintiff seeks monetary damages as well as attorney's fees and costs pursuant to 42 U.S.C. § 1988.

4. Plaintiff also invokes the supplemental jurisdiction of this court over his state law claims against defendants pursuant to 28 U.S.C. § 1367 because these claims form a part of the same case or controversy.

5. Venue is proper in the District Court pursuant to 28 U.S.C. § 1391 because the acts which form the basis of these claims occurred in the City of Camden, County of Camden, State of New Jersey.

## **COUNT TWO**

(Parties)

6. Plaintiff, James Wright, is an individual who currently resides at 4 Covington Drive, Sicklerville, NJ 08081.

7. Defendant, County of Camden, with its offices located at 520 Market Street, Camden, NJ 08102, is a governmental entity, a local public entity and/or an instrumentality for the State of New Jersey, which manages, controls and/or is responsible for the actions of the Camden County Police Department and/or its employees.

8. Defendant, County of Camden, with its police department headquarters at 520 Market Street, Camden, NJ 08102, is a governmental entity, a local public entity and/or an instrumentality for the State of New Jersey, which employs the police officers who carry out the day-to-day police duties within the County of Camden and is the entity which is responsible for providing police protection to the residents, inhabitants, visitors and all other individuals within the lawful boundaries of the County of Camden Point and perform all activities and services commonly provided by a police department. At all times relevant hereto, Defendant, County of Camden, was the employer of the police officers and/or other individuals involved in the subject incident which is more fully described hereinafter and was responsible for the supervision and conduct of said officers.

9. Defendants, Officer Benjamin Quinones, Officer Luis Gonzalez, and John Doe Police Officers 1-25 (fictitious names), were police officers employed by the County of Camden and at all times relevant hereto were responsible for the maintenance and control of public safety for the County of Camden.

11. Defendants, John Does 26-50, are fictitious designations for unknown or unidentified parties to this action who were employees of the County of Camden who may have been responsible for the actions and/or inactions of the other defendants named herein.

12. At all times relevant hereto, the defendants, Officer Benjamin Quionones, Officer Luis Gonzalez, John Doe Police Officers 1-25 (fictitious names) and/or John Does 26-50, were acting under color of State Law pursuant to their sworn authority as police officers and/or other employees of the County of Camden.

13. In this action, the Plaintiff, James Wright, asserts that he was deprived of his constitutional rights, privileges and immunities secured by the Fourth and Fourteenth Amendments.

**COUNT THREE**  
(Facts)

14. At all relevant times alleged herein, Plaintiff, James Wright, was a resident of the City of Camden, County of Camden, New Jersey.

15. The incident in question took place on July 1, 2019 after 11:00 p.m. while Plaintiff, James Wright, was attempting to go to bed in order to be up for work the following morning at 4:00 a.m.

16. Apparently, Mr. Wright's former girlfriend, Juvya Pickett, contacted the County of Camden police department claiming that plaintiff had just assaulted her and that he was in possession of a handgun.

17. Ms. Pickett's statements to the police were neither accurate nor true and were clearly inconsistent which should have been clear to the defendant police officers.

18. Instead of waiting to obtain the plaintiffs version of events, the defendant police officers instead knocked on plaintiff's door without a warrant and arrested him and brought him down to the police station.

19. Plaintiff was charged with unlawful possession of a handgun, certain person not to have a weapon and aggravated assault on the Complainant.

20. Plaintiff was incarcerated and spent seven (7) days in the Camden County Jail before being released.

21. Two of the charges were dismissed and the remaining charge was downgraded to a Municipal Court offense where it was also dismissed.

22. The charges were all dismissed which acknowledges and confirms that there was an absence of probable cause for plaintiff's arrest, incarceration or prosecution.

23. The information and/or evidence provided by the defendant officers to the judge in order to show probable cause was insufficient, inaccurate and/or untrustworthy.

24. As a direct and proximate result of said arrest charges and incarceration, plaintiff was caused to lose his Iron Workers Union Employment, in the amount of approximately \$15,000.00, his apartment and as well suffered emotional distress.

25. The Defendants' actions also constituted a violation of Plaintiff's constitutional rights for which he is entitled to damages, attorney fees and costs.

#### **COUNT FOUR**

(42 U.S.C. § 1983 Fourth Amendment Violations Against Individual Defendants)

26. Plaintiff repeats and reasserts the contents of all preceding paragraphs as if set forth at length herein.

27. Plaintiff's wrongful arrest and false imprisonment by the defendants jointly, severally and/or in the alternative was carried out with malice and without legal justification or probable cause.

28. As a direct and proximate result of the defendant Officers, Plaintiff sustained emotional distress, was unable to attend to his usual and customary affairs, including lost wages from work and was otherwise injured and damaged.

WHEREFORE, plaintiff, James Wright, demands judgment against Officer Benjamin Quionones, Officer Luis Gonzalez, John Does 1-25 and/or John Does 26-50 (fictitious names) for compensatory damages and punitive damages together with interest, attorney fees and costs of suit.



**COUNT FIVE**

(New Jersey State Constitution Violations Against Individual Defendants)

29. Plaintiff repeats and reasserts the contents of all preceding paragraphs as if set forth at length herein.

30. The aforesaid improper actions of the individual defendant Police Officers also violated Plaintiff's clearly established constitutional rights under the New Jersey State Constitution.

31. Plaintiff is entitled to seek redress for the previously referenced improper actions in a private civil action pursuant to the New Jersey Civil Rights Act.

32. As a direct and proximate result of the aforementioned violations of the Plaintiff's state law rights, he sustained the aforementioned injuries and damages.

33. Plaintiff is also entitled to attorney fees pursuant to N.J.S.A. 10:6-2, for the claims set forth herein.

WHEREFORE, plaintiff, James Wright, demands judgment against Officer Benjamin Quionones, Luis Gonzalez, John Does 1-25 and/or John Does 26-50 (fictitious names), for compensatory damages and punitive damages together with interest, attorney fees and costs of suit.

**JURY DEMAND**

Plaintiffs hereby demands a jury trial as to all issues.

**DESIGNATION OF TRIAL COUNSEL**

Randy P. Catalano is hereby designated as trial counsel.

  
\_\_\_\_\_  
Randy P. Catalano, Esquire  
Attorney for Plaintiff

Dated: June 30, 2021